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THIS ORDER RELATES TO A  
HEARING HELD ON  
NOVEMBER 5, 2008

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE:

Chapter 13  
Case No. 108-43439-353

MICHAEL H. DUNDAS,

ORDER DISMISSING CASE  
WITH COSTS

Debtor.

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UPON the August 27, 2008 written application of Marianne DeRosa, Chapter 13 Trustee, (the "Trustee") seeking entry of an Order dismissing the instant Chapter 13 case pursuant to 11 U.S.C. §1307(c) and due notice of the aforesaid application having been given to all necessary parties; and

WHEREAS, on November 5, 2008, the Trustee appeared, through her attorney, Krista M. Preuss, Esq., in support thereof and Patrick K. Schaefer, Esq., attorney for the Debtor, advised the Court that ~~the Debtor did not oppose the Trustee's dismissal motion; there was no opposition;~~ and

WHEREAS, the Debtor failed to comply with the disclosure requirements of E.D.N.Y. LBR 2003-1(a)(vi) and (b)(i) in that the Debtor did not provide to the Trustee proof of post-petition mortgage payments; and

WHEREAS, each of the foregoing constitutes cause for dismissal of a Chapter 13 case; it is accordingly

ORDERED, that the Chapter 13 Trustee is granted the sum of \$150.00 for administrative costs and expenses incurred during the pendency of this case; and it is further

ORDERED, that the instant Chapter 13 case be dismissed pursuant to 11 U.S.C. §1307(c) of the Bankruptcy Code.

Dated: Brooklyn, NY  
November 19, 2008

s/Jerome Feller  
Hon. Jerome Feller  
United States Bankruptcy Judge